

--

--

H-8586
S. Meksula

FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: YORK DEVELOPMENT GROUP 75, 77, 81 & 91 SOUTHDALE ROAD EAST & 3021 WHITE OAK ROAD MEETING ON APRIL 25, 2016

RECOMMENDATION

That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of York Development Group, relating to the properties located at 75, 77, 81 & 91 Southdale Road East and 3021 White Oak Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 3, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 75, 77, 81 & 91 Southdale Road East and 3021 White Oak Road **FROM** a Holding Neighbourhood Shopping Area Special Provision (h-168*NSA4(6)) Zone **TO** a Neighbourhood Shopping Area Special Provision (NSA4(6)) Zone to remove the holding h-168 provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

Z – 8305 - Report to the Planning and Environment Committee on March 25, 2014 to allow for the development of an automobile sales and service establishment as an interim use.

OZ – 8047 - Report to the Planning and Environment Committee on May 28, 2012 to allow neighbourhood commercial uses that serves the needs of the abutting residential uses.

OZ – 7943 - Report to the Planning and Environment Committee on March 26, 2012 to allow for a Neighbourhood Commercial Node designation and a Neighbourhood Shopping Area (NSA4) zone variation to permit commercial development on this site.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the holding h-168 provision to permit the development of a commercial shopping centre format plaza which includes three (3) restaurant uses.

BACKGROUND

The subject lands consist of 6 properties, 75, 77, 81 and 91 Southdale Road East and 3021 and 3033 White Oak Road. The property at 91 Southdale Road East is the location of the former St. Elias Church. A demolition permit was issued on February 22, 2012 to demolish the church and the assembly hall. Consolidation of the properties resulted in an exterior side yard along Southdale Road East of 113m and frontage along White Oak Road of 106m. The total developable area is 1.2ha.

The proposed development is surrounded by automobile dealerships to the north and west. The lands to the east and south are designated for future Multi-Family, Medium Density Residential development. The subject site is suitably located for commercial development at the corner of a high-traffic area that links many existing and future planned neighbourhood residential areas. The traffic volumes in this area includes approximately 16,500 vehicles/day along White Oak Road and approximately 32,000 vehicles/day along Southdale Road East. Both Southdale Road East and White Oaks Road are classified as arterial roads in the City of London Zoning By-law.

--

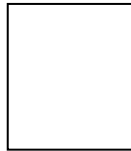
--

H-8586
S. Meksula

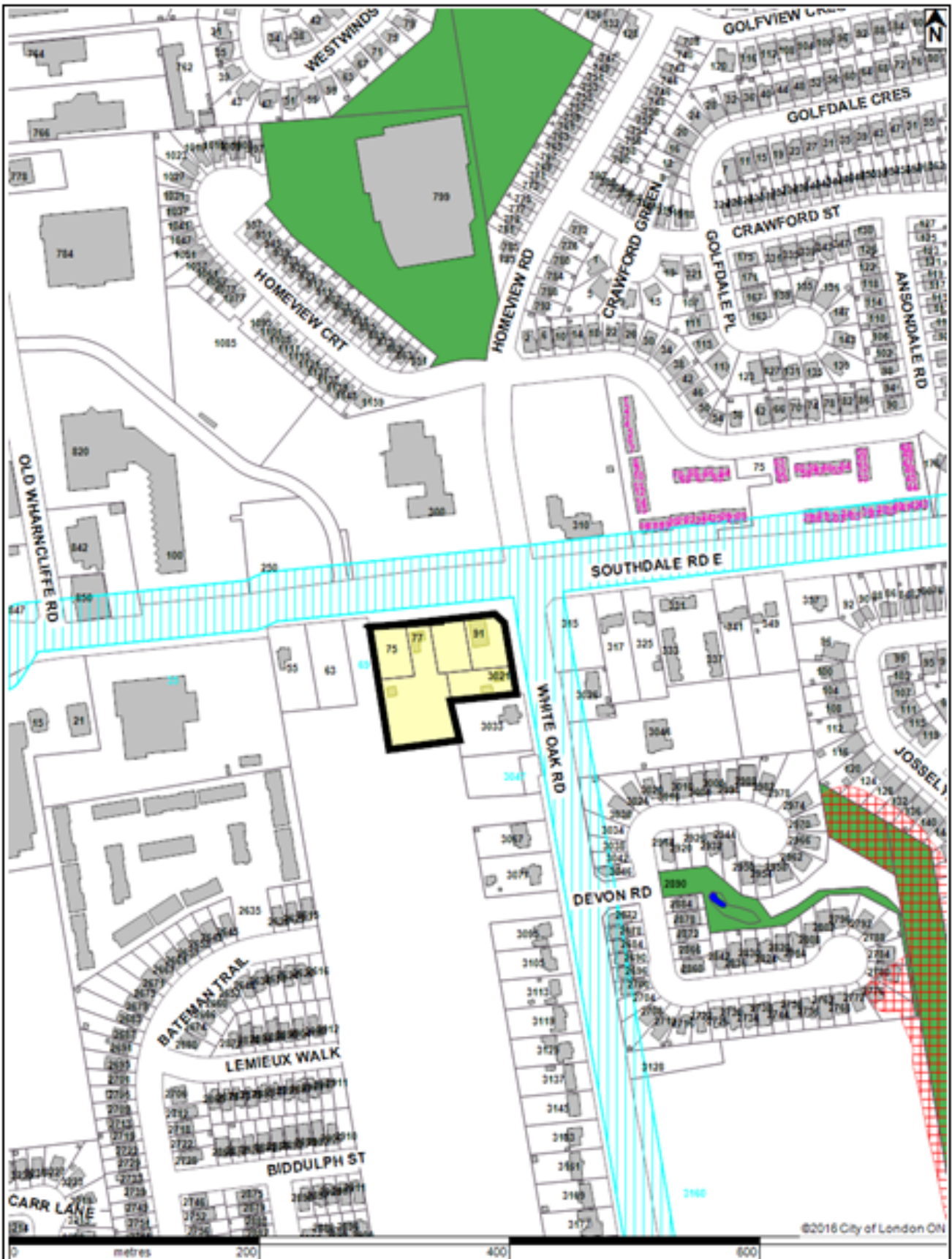
On March 26, 2012 staff recommended (OZ-7843) an amendment to the Official Plan and Zoning By-law Z.-1 to allow for a Neighbourhood Commercial Node designation and a Neighbourhood Shopping Area (NSA4) zone variation to permit commercial development on this site. In May 2012 the Official Plan and Zoning By-law Z.-1 was amended to allow a Neighbourhood Commercial Node designation and a Neighbourhood Shopping Area Special Provision (NSA4(6)) Zone to permit commercial development on this site. The Special Provision permits Automobile Sales and Service along the Southdale Road East frontage only. On March 25, 2014 a zoning change was done to amend the holding provision to permit an automobile sales and service establishment as an interim use. The consolidated holding provision ensures issues relating to urban design, noise mitigation and access are properly addressed when this site is redeveloped as is currently proposed.

Date Application Accepted: January 27, 2016	Applicant: Kirkness Consulting Inc.
REQUESTED ACTION: Removal of the “h-168” holding provision on the site to permit the development of three (3) restaurant uses.	

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on February 18, 2016.
Nature of Liaison: City Council intends to consider removing the h-168 holding provision from the lands that ensures for the orderly development of the lands, adequate municipal services. A development agreement associated with a site plan, which provides for appropriate access arrangements to the satisfaction of Council, is entered into with the City of London. The owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London. That urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the City Planner, incorporates the design objectives as identified in the June 12, 2012 Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations, which detail how the objectives have been achieved. Council will consider removing the holding provision as it applies to these lands no earlier than April 25, 2016.	
Responses: None	



H-8586
S. Meksula



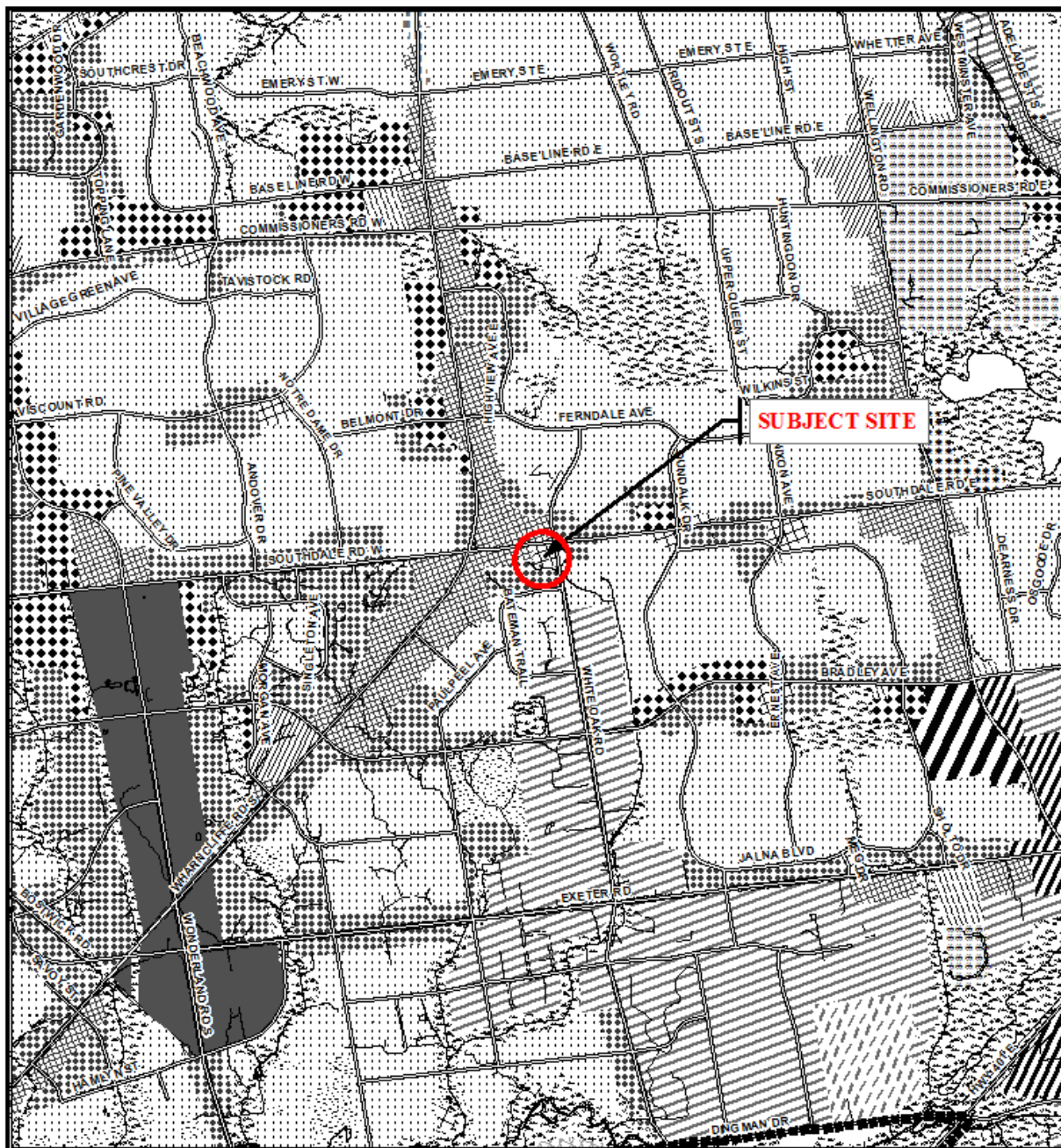
LOCATION MAP

Subject Site: 91 Southdale Rd E
 Applicant: York Developments (London) Inc
 File Number: H-8586
 Planner: Sean Meksula
 Created By: Sean Meksula
 Date: 2016-02-03
 Scale: 1:3700

LEGEND

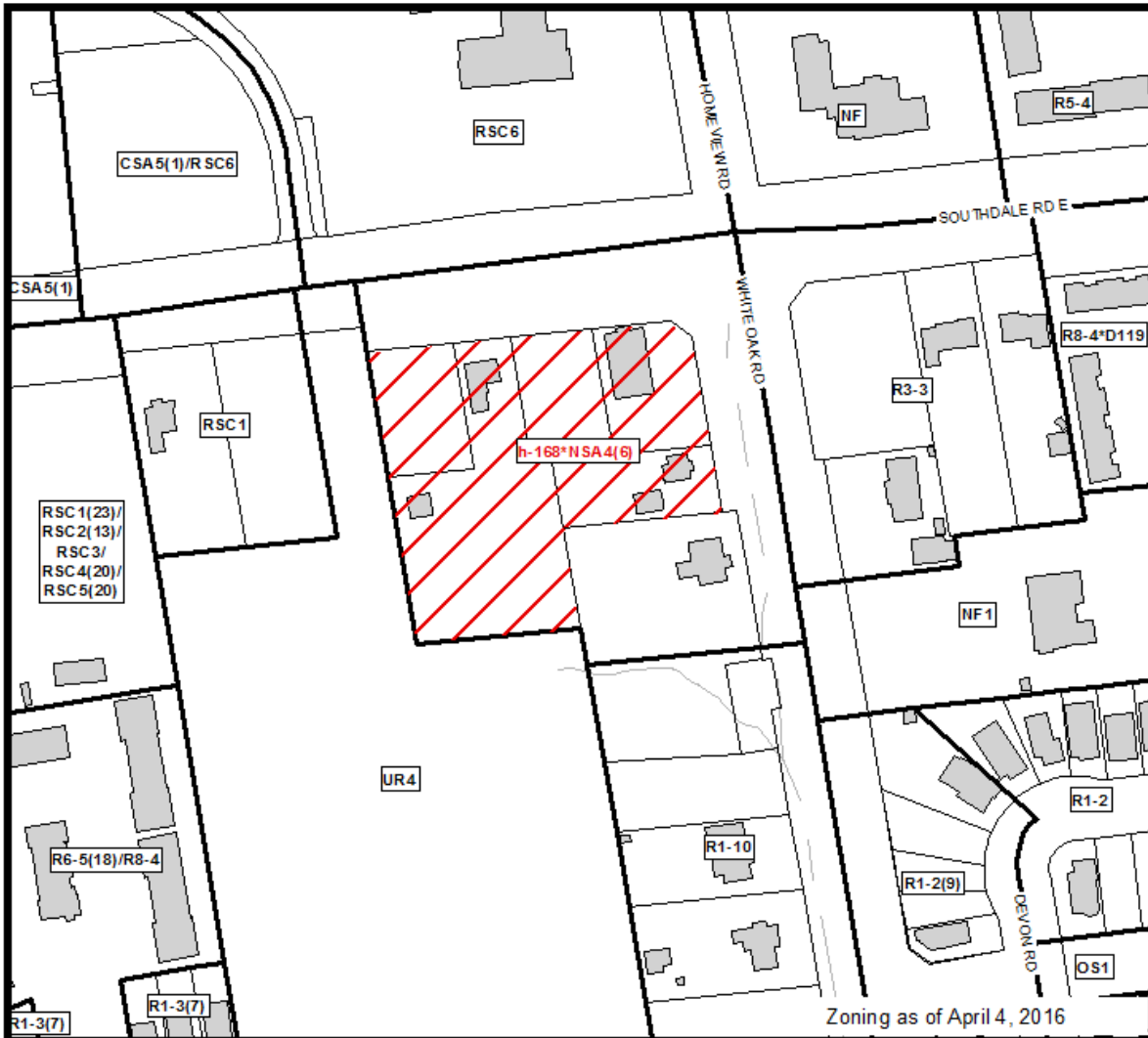
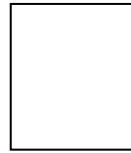
- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers





<p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area 	<ul style="list-style-type: none"> Office/Residential Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture Urban Growth Boundary 	
<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: H-8586</p> <p>PLANNER: SM</p> <p>TECHNICIAN: JTS</p> <p>DATE: April 22, 2016</p>

PROJECT LOCATION: e:\planning\proj\ctslp_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Zoning as of April 4, 2016



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-8586

SM

MAP PREPARED:

April 12, 2016

JTS

1:2,000

0 10 20 40 60 80
Meters

[Empty box for Agenda Item #]

[Empty box for Page #]

ANALYSIS

Why is it Appropriate to remove this Holding Provision?

h-168 holding provision states that:

“To ensure the orderly development of lands and the adequate provision of municipal services, the "h-168" symbol shall not be deleted:

i) Until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London;

This holding provision was applied to ensure orderly development with an emphasis on appropriate access arrangements. The holding provision is an important tool to control access points to the arterial roads. Site access issues have been addressed, agreed upon and incorporated into the development agreement providing for rights in and out and left out for Southdale Road East and full access for White Oak Road. Based on the execution of this agreement staff recommend the removal of this provision from the subject lands.

ii) Until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London;

The applicant has submitted a noise study for this development. The development agreement incorporates recommendations from the accepted Noise Study and will include noise mitigation measures recommended in the consultant’s report prior to the issuance of building permits. Based on the execution of the development agreement staff recommend the removal of this provision from the subject lands.

iii) That urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the City Planner, incorporates the design objectives as identified in the June 12, 2012 Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.

Permitted Interim Uses: Existing Uses; automobile sales and service establishment permitted by the applicable zone within existing buildings.”

The applicant has provided for a street oriented development, with units having frontage along Southdale Road East. These elevations have been reviewed and accepted by the City’s Urban Designer. These accepted plans have been incorporated into the approved site plan. Therefore, it is appropriate to lift this portion of the holding provision at this time.

--

--

H-8586
S. Meksula

CONCLUSION

Through the site plan approval process the requirements for the holding provisions on the subject lands have been addressed. The applicant has provided the required securities and has met provisions relating to noise mitigation, design, and transportation. It is appropriate to remove four holding provision from the subject lands at this time. Removal of this holding provision will allow the Building Division to issue building permits to allow construction of commercial shopping plaza format development which includes three (3) restaurants. Holding provision "h-168" is not recommended for removal from 3033 White Oak Road at this time as it was not part of this application.

RECOMMENDED BY:	REVIEWED BY:
SEAN MEKSULA PLANNER II DEVELOPMENT PLANNING	LOU POMPILII, MCIP, RPP MANAGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

April 15, 2016
SM/

H-8586
S. Meksula

Bill No.
2016

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located at 75, 77, 81 & 91 Southdale Road East and 3021 White Oak Road.

WHEREAS Nu Age Homes Inc. has applied to remove holding provisions from the zoning on the lands located at 75, 77, 81 & 91 Southdale Road East and 3021 White Oak Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 75, 77, 81 & 91 Southdale Road East and 3021 White Oak Road, as shown on the attached map to remove the holding "h-168" provision so that the zoning of the lands as a Neighbourhood Shopping Area Special Provision (NSA4(6)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on May 3, 2016.

Matt Brown
Mayor

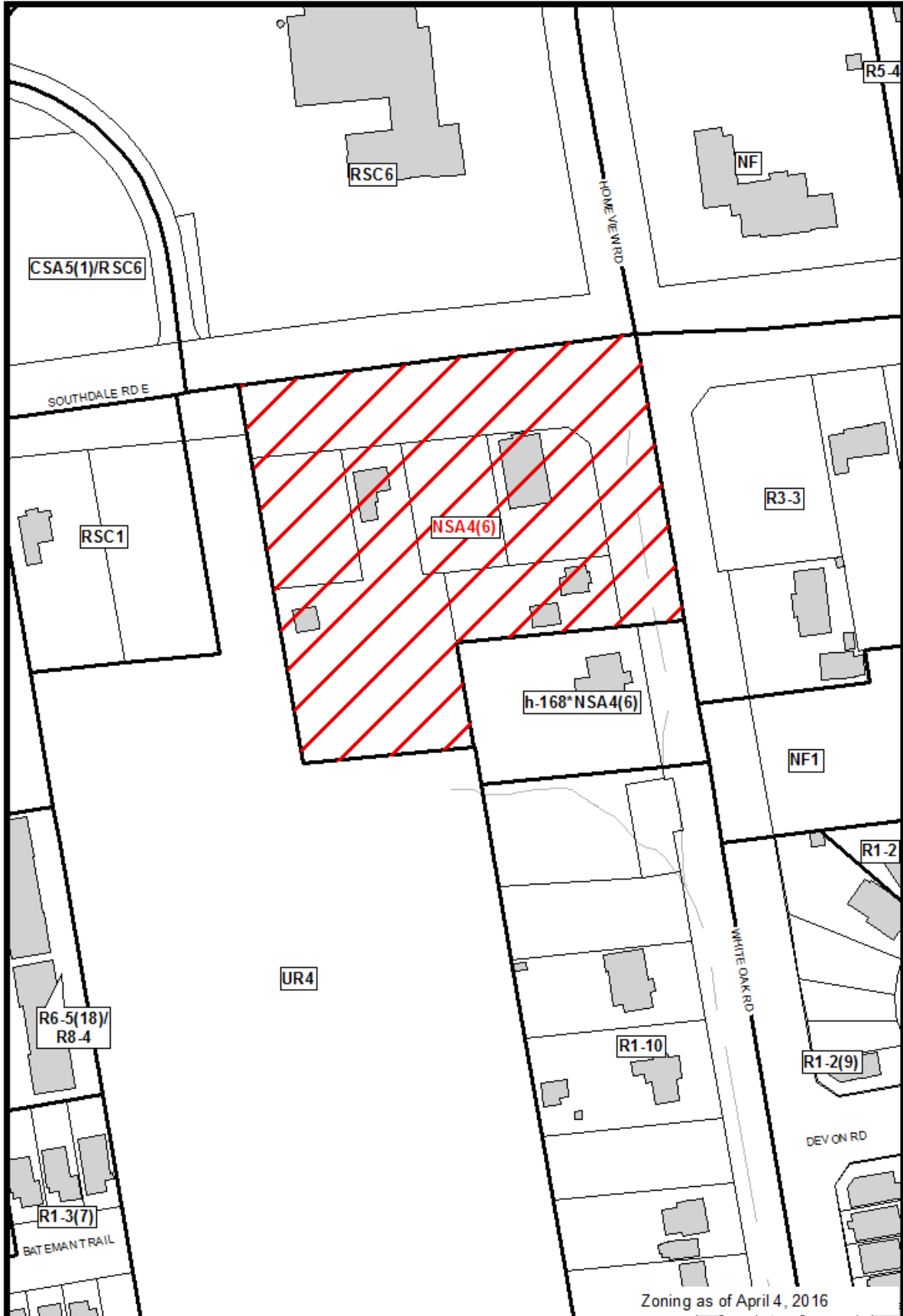
Catharine Saunders
City Clerk

First Reading – May 3, 2016
Second Reading – May 3, 2016
Third Reading – May 3, 2016


[Empty box for Agenda Item #]

[Empty box for Page #]

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-8586
 Planner: SM
 Date Prepared: April 12, 2016
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

